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10  
11 Attorneys for Defendant  
12 Portfolio Recovery Associates, LLC

13  
14  
15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA

17 CV12-06548PSG(AJWx)

18 SHAY LEVY, } CASE NO.:  
19 Plaintiff, }  
20 vs. }  
21 PORTFOLIO RECOVERY }  
22 ASSOCIATES, LLC, }  
23 Defendant. }  
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12 JUL 30 PM 3:05  
CLERK'S OFFICE, U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES

FILED

1 TO THE CLERK OF THE ABOVE-ENTITLED COURT:  
2  
3 PLEASE TAKE NOTICE that defendant Portfolio Recovery Associates,  
4 LLC (“Defendant”), a Delaware limited liability company, hereby removes to this  
Court the state court action described below.

5 1. On May 22, 2012, a complaint was filed against Defendant by plaintiff  
6 Shay Levy (“Plaintiff”), in an action pending in the Superior Court of the State of  
7 California in and for the County of Los Angeles, entitled *Shay Levy v. Portfolio*  
8 *Recovery Associates, LLC*, Case No. 12K07815. A copy of the state court  
9 complaint (“Complaint”) is attached hereto as **Exhibit A**.

10 2. Service of the Complaint and accompanying summons was complete  
11 and became effective on July 2, 2012, pursuant to the Notice and Acknowledgment  
12 of Receipt executed by Defendant on July 2, 2012, attached hereto as **Exhibit B**,  
13 and in accordance with section 415.30 of the California Code of Civil Procedure.  
14 Accordingly, this removal petition is timely under 28 U.S.C. § 1446(b).

15 **JURISDICTION**

16 3. This action is a civil action of which this Court has original  
17 jurisdiction under 28 U.S.C. § 1331 and which may be removed to this Court by  
18 Defendant pursuant to the provisions of 28 U.S.C. § 1441(b) in that the Complaint  
19 asserts claims against Defendant allegedly arising under 15 U.S.C. § 1692, *et seq.*  
20 (the “Fair Debt Collection Practices Act”) and 47 U.S.C. § 227, *et seq.* (the  
21 “Telephone Consumer Protection Act”). *See Exhibit A, ¶ 1, 15-17.*

22 4. As the Complaint was filed in the Superior Court of the State of  
23 California, County of Los Angeles, venue in this District is proper. *See* 28 U.S.C.  
24 § 1441(a) (providing for removal “to the district court of the United States for the  
25 district and division embracing the place” where the state court action is pending);  
26 28 U.S.C. § 84(c)(2) (Central District, Western Division comprises, *inter alia*, the  
27 County of Los Angeles).

28 5. Defendant is represented by the undersigned.

1 DATED: July 30, 2012

SIMMONDS & NARITA LLP  
MICHAEL R. SIMMONDS  
LINDSEY A. MORGAN

3  
4  
5 By:



Michael R. Simmonds  
Attorneys for Defendant  
Portfolio Recovery Associates, LLC

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# Exhibit A

1 Todd M. Friedman (216752)  
2 Nicholas J. Bontrager (252114)  
3 Law Offices of Todd M. Friedman, P.C.  
4 369 S. Doheny Dr. #415  
5 Beverly Hills, CA 90211  
6 Phone: 877-206-4741  
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9 nbontrager@attorneysforconsumers.com  
10 Attorneys for Plaintiff

CONFORMED COPY  
ORIGINAL FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

MAY 22 2012

John A. Clarke, Executive Officer/Clerk  
BY *[Signature]* Deputy

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES  
10 LIMITED JURISDICTION

12 K 0 7 8 1 5

11 ) Case No.  
12 )  
13 ) COMPLAINT FOR VIOLATION  
14 ) OF ROSENTHAL FAIR DEBT  
15 ) COLLECTION PRACTICES ACT AND  
16 ) FEDERAL FAIR DEBT COLLECTION  
17 ) PRACTICES ACT  
18 ) VS.  
19 ) (Amount not to exceed \$10,000)  
20 )  
21 )  
22 )  
23 )  
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27 )  
28 )  
SHAY LEVY, Plaintiff, vs. PORTFOLIO RECOVERY ASSOCIATES, LLC, Defendant.

1. Violation of Rosenthal Fair Debt Collection Practices Act  
2. Violation of Fair Debt Collection Practices Act  
3. Violation of Telephone Consumer Protection Act

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for Defendant's violations of the Rosenthal Fair Debt Collection Practices Act, Cal Civ Code §1788, *et seq.* (hereinafter "RFDCPA") and the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.* (hereinafter "FDCPA"), both of which prohibit debt collectors from engaging in abusive, deceptive, and unfair practices. Ancillary to the claims above, Plaintiff further alleges claims

1 for Defendant's violations of the Telephone Consumer Protection Act., 47 U.S.C. §227, *et seq.*  
2 (hereinafter "TCPA").

3 **II. PARTIES**

4 2. Plaintiff, Shay Levy ("Plaintiff"), is a natural person residing in Los Angeles  
5 county in the state of California, and is a "consumer" as defined by the FDCPA, 15 U.S.C.  
6 §1692a(3) and is a "debtor" as defined by Cal Civ Code §1788.2(h).

7 3. At all relevant times herein, Defendant, Portfolio Recovery Associates, LLC  
8 ("Defendant") was a company engaged, by use of the mails and telephone, in the business of  
9 collecting a debt from Plaintiff which qualifies as a "debt," as defined by 15 U.S.C. §1692a(5),  
10 and a "consumer debt," as defined by Cal Civ Code §1788.2(f). Defendant regularly attempts  
11 to collect debts alleged to be due another, and therefore is a "debt collector" as defined by the  
12 FDCPA, 15 U.S.C. §1692a(6), and RFDCPA, Cal Civ Code §1788.2(c).  
13

14 **III. FACTUAL ALLEGATIONS**

15 4. At various and multiple times prior to the filing of the instant complaint,  
16 including within the one year preceding the filing of this complaint, Defendant contacted  
17 Plaintiff in an attempt to collect an alleged outstanding debt.

18 5. On or about January of 2012, Plaintiff began receiving calls from Defendant  
19 regarding an alleged debt. Defendant used an autodialing system to call Plaintiff on her cell  
20 phone.

21 6. Defendant would use an autodialing system to call Plaintiff's cellular phone on a  
22 virtual daily basis, upwards of three (3) times a day.  
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1       7.    Defendant contacted Plaintiff at times and places that were known to be  
2   inconvenient, including but not limited to, calling Plaintiff's cellular phone several times per  
3   day.

4       8.    Defendant contacted Plaintiff on her cellular phone with such a frequency as to  
5   constitute harassment under the circumstances, including but not limited to, calling Plaintiff  
6   several times per day.

7       9.    Defendant falsely represented that failure to pay the alleged debt would result in  
8   a negative report of the alleged debt on Plaintiff's credit score.

9       10.   Defendant's conduct violated the FDCPA and the RFDCPA in multiple ways,  
10   including but not limited to:

- 11       a) Communicating with Plaintiff at times or places which were  
12       known or should have been known to be inconvenient for  
13       Plaintiff (§1692c(a)(1));
- 14       b) Causing Plaintiff's telephone to ring repeatedly or continuously  
15       with intent to harass, annoy or abuse Plaintiff (§1692d(5));
- 16       c) Causing a telephone to ring repeatedly or continuously to annoy  
17       Plaintiff (Cal Civ Code §1788.11(d));
- 18       d) Communicating, by telephone or in person, with Plaintiff with  
19       such frequency as to be unreasonable and to constitute an  
20       harassment to Plaintiff under the circumstances (Cal Civ Code  
21       §1788.11(e));
- 22       e) Engaging in conduct the natural consequence of which is to  
23       harass, oppress, or abuse Plaintiff (§1692d);
- 24       f) Threatening to take an action against Plaintiff that cannot be  
25       legally taken or that was not actually intended to be taken  
26       (§1692e(5))

1  
2 g) Communicating or threatening to communicate credit  
3 information which is known or which should be known to be  
4 false (§1692e(8)).

5 11. Defendant conduct violated the TCPA by:

6 a) using any automatic telephone dialing system or an artificial or pre-recorded  
7 voice to any telephone number assigned to a paging service, cellular telephone  
8 service, specialized mobile radio service, or other radio common carrier service,  
9 or any service for which the called party is charged for the call (47 USC  
§227(b)(A)(iii)).

10 12. As a result of the above violations of the FDCPA, RFDCPA, and TCPA,

11 Plaintiff suffered and continues to suffer injury to Plaintiff's feelings, personal humiliation,  
12 embarrassment, mental anguish and emotional distress, and Defendant is liable to Plaintiff for  
13 Plaintiff's actual damages, statutory damages, and costs and attorney's fees.

14  
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17 **COUNT I: VIOLATION OF ROSENTHAL**  
18 **FAIR DEBT COLLECTION PRACTICES ACT**

19 13. Plaintiff reincorporates by reference all of the preceding paragraphs.

20 14. To the extent that Defendant's actions, counted above, violated the RFDCPA,  
21 those actions were done knowingly and willfully.

22  
23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
25 for the following:

26 A. Actual damages;  
27 B. Statutory damages for willful and negligent violations;  
28 C. Costs and reasonable attorney's fees,

1 D. For such other and further relief as may be just and proper.

2  
3 **COUNT II: VIOLATION OF FAIR DEBT**  
**COLLECTION PRACTICES ACT**

4 15. Plaintiff reincorporates by reference all of the preceding paragraphs.

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiff respectfully prays that judgment be entered against Defendant  
7 for the following:

8  
9 A. Actual damages;  
10 B. Statutory damages;  
11 C. Costs and reasonable attorney's fees; and,  
12 D. For such other and further relief as may be just and proper.

13  
14  
15 **COUNT III: VIOLATION OF TELEPHONE CONSUMER**  
**PROTECTION ACT**

16 16. Plaintiff reincorporates by reference all of the preceding paragraphs.

17 17. To the extent that Defendant's actions, counted above, violated the TCPA, those  
18 actions were done knowingly and willfully

19  
20 **PRAYER FOR RELIEF**

21 WHEREFORE, Plaintiff respectfully prays that judgment be entered against the  
22 Defendant for the following:

23  
24 A. Actual damages;  
25 B. Statutory damages for willful and negligent violations;  
26 C. Costs and reasonable attorney's fees,  
27 D. For such other and further relief as may be just and proper.

1 **PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY**  
2

3 Respectfully submitted this 17<sup>th</sup> day of May, 2012.  
4

5 By: \_\_\_\_\_  
6

7 Todd M. Friedman, Esq.  
8 Law Offices of Todd M. Friedman, P.C.  
9 Attorney for Plaintiff  
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CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY* (Name, State Bar number, and address): Todd M. Friedman, Esq. SBN 216752, Darin Shaw, Esq. SBN 251037 Law Offices of Todd M. Friedman 369 S. Doheny Dr. #415 Beverly Hills, CA 90211		FOR COURT USE ONLY
TELEPHONE NO.: 877-206-4741 FAX NO.: 866-633-0228 ATTORNEY FOR (Name): Plaintiff, Shay Levy		CONFORMED COPY ORIGINAL FILED SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME:		MAY 22 2012
CASE NAME: Shay Levy v. Portfolio Recovery Associates, LLC		John A. Clarke, Executive Officer/Clerk BY <i>[Signature]</i> Orla Gridel, Deputy
<b>CIVIL CASE COVER SHEET</b> <input type="checkbox"/> Unlimited <input checked="" type="checkbox"/> Limited (Amount demanded exceeds \$25,000)      (Amount demanded is \$25,000 or less)		<b>Complex Case Designation</b> <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)
		CASE NUMBER: <b>12K07815</b>
		JUDGE: DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:	Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)
	<input type="checkbox"/> Auto (22)	<input type="checkbox"/> Breach of contract/warranty (06)	<input type="checkbox"/> Antitrust/Trade regulation (03)
	<input type="checkbox"/> Uninsured motorist (46)	<input type="checkbox"/> Rule 3.740 collections (09)	<input type="checkbox"/> Construction defect (10)
	<b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b>	<input type="checkbox"/> Other collections (09)	<input type="checkbox"/> Mass tort (40)
	<input type="checkbox"/> Asbestos (04)	<input type="checkbox"/> Insurance coverage (18)	<input type="checkbox"/> Securities litigation (28)
	<input type="checkbox"/> Product liability (24)	<input type="checkbox"/> Other contract (37)	<input type="checkbox"/> Environmental/Toxic tort (30)
	<input type="checkbox"/> Medical malpractice (45)	<b>Real Property</b>	<input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
	<input type="checkbox"/> Other PI/PD/WD (23)	<input type="checkbox"/> Eminent domain/Inverse condemnation (14)	
	<b>Non-PI/PD/WD (Other) Tort</b>	<input type="checkbox"/> Wrongful eviction (33)	
	<input type="checkbox"/> Business tort/unfair business practice (07)	<input type="checkbox"/> Other real property (26)	<b>Enforcement of Judgment</b>
	<input type="checkbox"/> Civil rights (08)	<b>Unlawful Detainer</b>	<input type="checkbox"/> Enforcement of judgment (20)
	<input type="checkbox"/> Defamation (13)	<input type="checkbox"/> Commercial (31)	<b>Miscellaneous Civil Complaint</b>
	<input type="checkbox"/> Fraud (16)	<input type="checkbox"/> Residential (32)	<input type="checkbox"/> RICO (27)
	<input type="checkbox"/> Intellectual property (19)	<input type="checkbox"/> Drugs (38)	<input type="checkbox"/> Other complaint (not specified above) (42)
	<input type="checkbox"/> Professional negligence (25)	<b>Judicial Review</b>	<b>Miscellaneous Civil Petition</b>
	<input checked="" type="checkbox"/> Other non-PI/PD/WD tort (35)	<input type="checkbox"/> Asset forfeiture (05)	<input type="checkbox"/> Partnership and corporate governance (21)
	<b>Employment</b>	<input type="checkbox"/> Petition re: arbitration award (11)	<input type="checkbox"/> Other petition (not specified above) (43)
	<input type="checkbox"/> Wrongful termination (36)	<input type="checkbox"/> Writ of mandate (02)	
	<input type="checkbox"/> Other employment (15)	<input type="checkbox"/> Other judicial review (39)	

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

- Large number of separately represented parties
- Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
- Substantial amount of documentary evidence
- Large number of witnesses
- Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a.  monetary    b.  nonmonetary; declaratory or injunctive relief    c.  punitive

4. Number of causes of action (specify): 1

5. This case  is  is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: May 17, 2012  
Todd M. Friedman

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

## INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

**To Plaintiffs and Other's Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties in Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties In Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**Auto Tort**

- Auto (22)–Personal Injury/Property
- Damage/Wrongful Death
- Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death)**

- Tort
- Asbestos (04)
- Asbestos Property Damage
- Asbestos Personal Injury/
- Wrongful Death
- Product Liability (*not asbestos or toxic/environmental*) (24)
- Medical Malpractice (45)
- Medical Malpractice–
- Physicians & Surgeons
- Other Professional Health Care
- Malpractice
- Other PI/PD/WD (23)
- Premises Liability (e.g., slip and fall)
- Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
- Intentional Infliction of Emotional Distress
- Negligent Infliction of Emotional Distress
- Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
- Legal Malpractice
- Other Professional Malpractice (*not medical or legal*)
- Other Non-PI/PD/WD Tort (35)

**Employment**

- Wrongful Termination (36)
- Other Employment (15)

**CASE TYPES AND EXAMPLES****Contract**

- Breach of Contract/Warranty (06)
- Breach of Rental/Lease
- Contract (*not unlawful detainer or wrongful eviction*)
- Contract/Warranty Breach–Seller
- Plaintiff (*not fraud or negligence*)
- Negligent Breach of Contract/
- Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
- Collection Case–Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage (*not provisionally complex*) (18)
- Auto Subrogation
- Other Coverage
- Other Contract (37)
- Contractual Fraud
- Other Contract Dispute

**Real Property**

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
- Writ of Possession of Real Property
- Mortgage Foreclosure
- Quiet Title
- Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

**Unlawful Detainer**

- Commercial (31)
- Residential (32)
- Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

**Judicial Review**

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
- Writ–Administrative Mandamus
- Writ–Mandamus on Limited Court
- Case Matter
- Writ–Other Limited Court Case
- Review
- Other Judicial Review (39)
- Review of Health Officer Order
- Notice of Appeal–Labor
- Commissioner Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

**Enforcement of Judgment**

- Enforcement of Judgment (20)
- Abstract of Judgment (Out of County)
- Confession of Judgment (*non-domestic relations*)
- Sister State Judgment
- Administrative Agency Award (*not unpaid taxes*)
- Petition/Certification of Entry of Judgment on Unpaid Taxes
- Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

- RICO (27)
- Other Complaint (*not specified above*) (42)
- Declaratory Relief Only
- Injunctive Relief Only (*non-harassment*)
- Mechanics Lien
- Other Commercial Complaint Case (*non-tort/non-complex*)
- Other Civil Complaint (*non-tort/non-complex*)

**Miscellaneous Civil Petition**

- Partnership and Corporate Governance (21)
- Other Petition (*not specified above*) (43)
- Civil Harassment
- Workplace Violence
- Elder/Dependent Adult Abuse
- Election Contest
- Petition for Name Change
- Petition for Relief From Late Claim
- Other Civil Petition

SHORT TITLE: Shay Levy v. Portfolio Recovery Associates, LLC	CASE NUMBER 12K07815
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**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL 2-4  HOURS/  DAYS

**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column B below which best describes the nature of this case.

**Step 3:** In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**

1. Class actions must be filed in the Stanley Mosk Courthouse, central district. 2. May be filed in central (other county, or no bodily injury/property damage). 3. Location where cause of action arose. 4. Location where bodily injury, death or damage occurred. 5. Location where performance required or defendant resides.	6. Location of property or permanently garaged vehicle. 7. Location where petitioner resides. 8. Location wherein defendant/respondent functions wholly. 9. Location where one or more of the parties reside. 10. Location of Labor Commissioner Office
---	---

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/ Property Damage/ Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

SHORT TITLE:	Shay Levy v. Portfolio Recovery Associates, LLC	CASE NUMBER
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	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/ Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16)	<input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35)	<input checked="" type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36)	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15)	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance)	<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09)	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation	Number of parcels _____ 2.
	Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
Unlawful Detainer	Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer- Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: Shay Levy v. Portfolio Recovery Associates, LLC		CASE NUMBER																																																												
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SHORT TITLE: Shay Levy v. Portfolio Recovery Associates, LLC	CASE NUMBER
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**Item III. Statement of Location:** Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

<b>REASON:</b> Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.		ADDRESS: 625 N. Sycamore Apt 108
<input type="checkbox"/> 1. <input type="checkbox"/> 2. <input checked="" type="checkbox"/> 3. <input type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10.		
CITY: Los Angeles	STATE: CA	ZIP CODE: 90036

**Item IV. Declaration of Assignment:** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: May 17, 2012

  
(SIGNATURE OF ATTORNEY/FILING PARTY)

**PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:**

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

# Exhibit B

COPY

POS-015

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):</b> Todd M. Friedman, Esq. SBN 216752 Nicholas J. Bontrager, Esq. SBN 252114 Law Offices of Todd M. Friedman, P.C. 369 S. Doheny Dr. #415 Beverly Hills, CA 90211 TELEPHONE NO.: 877-206-4741		<b>FOR COURT USE ONLY</b> <b>CONFORMED COPY</b> <b>ORIGINAL FILED</b> Superior Court of California County of Los Angeles <b>JUL 17 2012</b> John A. Clarke, Executive Officer/Clerk By <i>[Signature]</i> MOSES SOTO Deputy
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES</b> STREET ADDRESS: 111 N. Hill St. MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, 90012 BRANCH NAME:		
<b>PLAINTIFF/PETITIONER:</b> Shay Levy <b>DEFENDANT/RESPONDENT:</b> Portfolio Recovery Associates, LLC		<b>CASE NUMBER:</b> 12K07815
<b>NOTICE AND ACKNOWLEDGMENT OF RECEIPT—CIVIL</b>		

TO (insert name of party being served): Portfolio Recovery Associates, LLC

**NOTICE**

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of the summons. If you return this form to the sender, service of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing: June 5, 2012

Erika Campany

(TYPE OR PRINT NAME)

(SIGNATURE OF SENDER—MUST NOT BE A PARTY IN THIS CASE)

**ACKNOWLEDGMENT OF RECEIPT**

This acknowledges receipt of (to be completed by sender before mailing):

- A copy of the summons and of the complaint.
- Other (specify):

Civil Case Cover Sheet, Los Angeles County Addendum, Notice of Case Management Review, Notice of Case Procedures

(To be completed by recipient):

Date this form is signed: 7/2/12

Portfolio Recovery Associates LLC  
(TYPE OR PRINT YOUR NAME AND NAME OF ENTITY, IF ANY,  
ON WHOSE BEHALF THIS FORM IS SIGNED)(SIGNATURE OF PERSON ACKNOWLEDGING RECEIPT, WITH TITLE IF  
ACKNOWLEDGMENT IS MADE ON BEHALF OF ANOTHER PERSON OR ENTITY)

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Philip S. Gutierrez and the assigned discovery Magistrate Judge is Andrew J. Wistrich.

The case number on all documents filed with the Court should read as follows:

**CV12- 6548 PSG (AJWx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

**=====**  
**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

*Failure to file at the proper location will result in your documents being returned to you.*

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> ) SHAY LEVY		<b>DEFENDANTS</b> PORTFOLIO RECOVERY ASSOCIATES, LLC			
<b>(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)</b> Todd M. Friedman (SBN 216752) & Nicholas J. Bontrager (SBN 252114) Law Offices of Todd M. Friedman, P.C., 369 S. Doheny Drive #415, Beverly Hills, CA 90211; Tel: (877) 206-4741; Fax: (866) 633-0228		<b>Attorneys (If Known)</b> Michael R. Simmonds (SBN 96238) & Lindsey A. Morgan (SBN 274214) Simmonds & Narita LLP, 44 Montgomery Street, Suite 3010 San Francisco, CA 94104; Tel: (415) 283-1000; Fax: (415) 352-2625			
<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)		<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.)			
<input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)		Citizen of This State <input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 1 <input type="checkbox"/> 1      Incorporated or Principal Place of Business in this State <input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4			
<input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item II)		Citizen of Another State <input type="checkbox"/> PTF <input type="checkbox"/> DEF <input type="checkbox"/> 2 <input type="checkbox"/> 2      Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 <input type="checkbox"/> 5			
		Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 <input type="checkbox"/> 3      Foreign Nation <input type="checkbox"/> 6 <input type="checkbox"/> 6			
<b>IV. ORIGIN</b> (Place an X in one box only.)					
<input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge					
<b>V. REQUESTED IN COMPLAINT: JURY DEMAND:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (Check 'Yes' only if demanded in complaint.)					
<b>CLASS ACTION under F.R.C.P. 23:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>MONEY DEMANDED IN COMPLAINT: \$</b>			
<b>VI. CAUSE OF ACTION</b> (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.) 15 U.S.C. 1692, et seq. (Fair Debt Collection Practices Act); 47 U.S.C. 227, et seq. (Telephone Consumer Protection Act)					
<b>VII. NATURE OF SUIT</b> (Place an X in one box only.)					
<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle Product Liability <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 447 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/ Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RS1 (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV-12-06548

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

**VIII(b). RELATED CASES:** Have any cases been previously filed in this court that are related to the present case?  No  Yes  
 If yes, list case number(s): \_\_\_\_\_

**Civil cases are deemed related if a previously filed case and the present case:**

(Check all boxes that apply)

- A. Arise from the same or closely related transactions, happenings, or events; or
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

**IX. VENUE:** (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

**X. SIGNATURE OF ATTORNEY (OR PRO PER):** Mark D. Hinrichs **Date** July 30, 2012

**Notice to Counsel/Parties:** The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))